

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

|                             |   |                          |
|-----------------------------|---|--------------------------|
| UGOCHUKWU ANYAORAH,         | ) |                          |
|                             | ) |                          |
| Plaintiff,                  | ) |                          |
|                             | ) |                          |
| v.                          | ) | No. 1:12-cv-0504-JMS-MJD |
|                             | ) |                          |
| INDIANA UNIVERSITY-PURDUE   | ) |                          |
| UNIVERSITY AT INDIANAPOLIS, | ) | CA #12-2644              |
| STEVEN D. PARDIECK,         | ) |                          |
| JOHN GILBERT,               | ) |                          |
| and MATT HINSMAN,           | ) |                          |
|                             | ) |                          |
| Defendants.                 | ) |                          |

**Amended Entry Denying Request to  
Proceed on Appeal *In Forma Pauperis***

An appeal may not be taken *in forma pauperis* if the trial court certifies that the appeal is not taken in good faith. 28 U.S.C. § 1915; *see Coppedge v. United States*, 369 U.S. 438 (1962). "Good faith" within the meaning of § 1915 must be judged by an objective, not a subjective, standard. *Id.* The court formerly denied the plaintiff's request to proceed on appeal *in forma pauperis* and issues this Amended Entry because of the supplement to that request filed by the plaintiff after the initial ruling.

There is no objectively reasonable argument which the plaintiff could present to argue that the disposition of this action was erroneous—nor does his request for leave to proceed on appeal *in forma pauperis* even suggest such an argument. In pursuing an appeal, the plaintiff "is acting in bad faith . . . [because] to sue in bad faith means merely to sue on the basis of a frivolous claim, which is to say a claim that no reasonable person could suppose to have any merit." *Lee v. Clinton*, 209 F.3d 1025, 1026 (7th Cir. 2000).

In addition, the amendment to the motion to proceed on appeal *in forma pauperis* filed on August 15, 2012, has been considered. In his amendment, the plaintiff reports having assets in two IRA accounts. This information shows that the plaintiff had and has sufficient funds to pay the appellate fees.

The plaintiff's motion to proceed on appeal *in forma pauperis* [10] is **denied** for the additional reason that the plaintiff has sufficient financial resources to pay the appellate fees.

When issued, this Entry shall be a **supplemental record** on appeal.

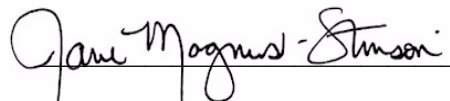
**IT IS SO ORDERED.**

Date: 08/20/2012

Distribution:

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All Electronically Registered Counsel

A handwritten signature in black ink, reading "Jane Magnus-Stinson", written over a horizontal line.

Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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